

Order

Michigan Supreme Court
Lansing, Michigan

November 29, 2006

Clifford W. Taylor,
Chief Justice

131292

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 131292
COA: 246034
Oakland CC: 2001-177229-FH

ROY ALEXANDER CHARLES,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the February 2, 2006 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the questions presented should be reviewed by this Court.

KELLY, J., dissents and states as follows:

I believe, for the reasons stated in my dissent in *People v Houston*, 473 Mich 399 (2005), that the trial court erroneously scored 25 points for OV 3.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 29, 2006

Corbin R. Davis

Clerk